

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MONIQUE SYKES, REA VEERABADREN,
KELVIN PÉREZ, and CLIFTON
ARMOOGAM, individually and on behalf of
all others similarly situated,

Plaintiffs,

- against -

MEL S. HARRIS AND ASSOCIATES LLC;
MEL S. HARRIS; MICHAEL YOUNG;
DAVID WALDMAN; KERRY LUTZ; TODD
FABACHER; MEL HARRIS JOHN/JANE
DOES 1-20; LEUCADIA NATIONAL
CORPORATION; L-CREDIT, LLC; LR
CREDIT, LLC; LR CREDIT 10, LLC; LR
CREDIT 14, LLC; LR CREDIT 18, LLC; LR
CREDIT 21, LLC; JOSEPH A. ORLANDO;
PHILIP M. CANNELLA; LR CREDIT
JOHN/JANE DOES 1-20; SAMSERV, INC.;
WILLIAM MLOTOK; BENJAMIN LAMB;
MICHAEL MOSQUERA; JOHN ANDINO;
and SAMSERV JOHN/JANE DOES 1-20,

Defendants.

ECF Case
No. 09 Civ. 8486(DC)

**DECLARATION
OF BRUCE LAZARUS**

BRUCE LAZARUS declares under the penalty of perjury, pursuant to 28 U.S.C.
§ 1746, that the following is true and correct:

1. I am president of Legalease Inc., a New York City-based attorney services
and process serving company that provides process serving services nationwide,
including service of summonses and complaints, subpoenas, and other legal papers. My
company has been in business for 26 years.

2. Our principals are members of the National Association of Professional Process Servers, the New York State Professional Process Servers Association and the Association of Independent Information Professionals.

3. My company uses employees, independent contractors, and other process serving companies to complete service. I am a licensed process server and work as a process server myself on occasion.

4. In my experience, when serving individuals at personal residences, my company rarely resorts to service by "nail and mail," preferring to serve individuals personally, and when that is not possible, by substitute service. For my clients, nail and mail service is a last resort, and my clients pay accordingly.

5. Based on my experience in the industry, I have found that rates of personal service and substituted service are usually about equal when serving individuals at personal residences.

6. In order to properly complete service, my servers generally attempt to effect service on individuals at their residences outside regular business hours during the workweek, and early Saturday morning, when people are most likely to be home.

7. Based on my experience, I estimate that it takes a process server about a half-hour on average to attempt service on individuals at personal residences. This includes time to get to the address, wait for someone to answer the door (which can take 10-15 minutes), make the service and make notes about the service before leaving the area. Travel time and distance are a factor in how long it takes to make a serve.

8. Based on my experience, I believe it is unlikely that a process server could regularly make more than 25 service attempts at personal residences in one day.

9. Based on my experience, addresses of personal residences are accurate more often than not, but there are many inaccuracies.

10. Unless other arrangements have been made, I pay my outside servers a minimum of \$25 per service. I pay all servers whether a service is successful or not, since they have spent time and usually have transportation costs.

11. I charge a *minimum* of \$85 to effect service, depending on many factors. My normal fees are usually higher than that.

12. I continually check the quality of my servers' work.

13. I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 1, 2011
New York, NY


BRUCE LAZARUS